



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**

REGION 4  
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ATLANTA, GEORGIA 30303-8960

October 31, 2016

Mr. John Williams, P.E.  
Project Development and Environmental Analysis  
NC Department of Transportation  
1548 Mail Service Center  
Raleigh, North Carolina 27699-1548

SUBJECT: Federal Draft Environmental Impact Statement (DEIS) and Draft §4(f) Evaluation for I-26 Widening Project, Henderson and Buncombe Counties, North Carolina; ERP No. FHW-E40853-NC; CEQ No.: 20160195; TIP Project Nos.: I-4400 / I-4700

Dear Mr. Williams:

The U.S. Environmental Protection Agency (EPA) Region 4 Office has received and reviewed the I-26 Federal Draft Environmental Impact Statement (DEIS) and §4(f) Evaluation prepared by the Federal Highway Administration (FHWA) and the North Carolina Department of Transportation (NCDOT). EPA's comments are provided for your consideration pursuant to our §309 of the Clean Air Act (CAA) and §102(2)(C) of the National Environmental Policy Act (NEPA). The DEIS proposes improvements to a 22.2-mile section of I-26 from US 25 near Hendersonville to I-40/I-240 south of Asheville, North Carolina.

The EPA's Merger Team representative has been an active participant in the NEPA/§404 Merger process for the proposed project, including purpose and need, detailed study alternatives to be carried forward and alignment review. The EPA signed Concurrence Point 2A, Bridging and Alignment Considerations on February 11, 2015. Specific technical review comments on the DEIS are enclosed to this letter (See enclosure).

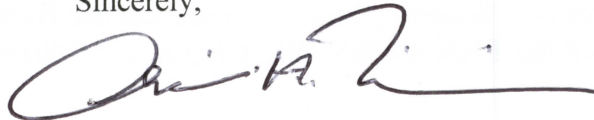
Based on the EPA's procedures for evaluating potential environmental impacts on proposed actions and the adequacy of the information, the EPA has rated the DEIS as 'Environmental Concerns' (EC-2), indicating that our review identified environmental concerns within the project study area. Potential environmental impacts to aquatic resources and residential populations including a potential environmental justice (EJ) community are EPA's primary environmental concerns and the FHWA and NCDOT should consider measures to avoid and minimize these identified impacts. The '2' rating indicates that the DEIS document does not contain adequate information to sufficiently assess all of the potential environmental impacts and allow the EPA to be able to identify an environmentally preferred alternative. This letter documents the EPA's concerns and recommendations for the Final EIS (FEIS). A full description

of the EPA's rating system can be found at: <https://www.epa.gov/nepa/environmental-impact-statement-rating-system-criteria>.

We also recommend that all potential impacts to the human and natural environment that have not been disclosed in the DEIS be addressed in the FEIS or be addressed in additional NEPA documentation prior to the issuance of a Record of Decision (ROD).

Dr. Cynthia F. Van Der Wiele, of my staff, will continue to work with you as part of the NCDOT Merger team in the identification of reasonable and feasible alternatives and the relevant avoidance and minimization and mitigation measures to be considered as the proposed project is advanced through the NEPA/§404 Merger process. Should you have any questions concerning these comments, please feel free to contact her at [vanderwiele.cynthia@epa.gov](mailto:vanderwiele.cynthia@epa.gov) or (919) 450-6811. We appreciate the opportunity to comment on the proposed I-26 project.

Sincerely,



Christopher A. Militscher  
Chief, NEPA Program Office  
Resource Conservation and Restoration Division

w/ Enclosure

cc: John F. Sullivan, III, P.E., FHWA- NC  
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## **ENCLOSURE**

### **Draft Environmental Impact Statement**

#### **I-26 Improvements Project**

#### **Henderson and Buncombe Counties**

**ERP No. FHW-E40853-NC; CEQ No.: 20160195**

### **PROJECT DESCRIPTION**

The FHWA and NCDOT are proposing improvements to I-26 from US 25 near Hendersonville to I-40/I-240 south of Asheville in order to improve existing and projected roadway capacity deficiencies, and to improve insufficient pavement structure and deteriorating existing road surface conditions. The purpose is to reduce congestion with a goal of achieving an overall Level of Service (LOS) D in the design year 2040. The 22.2-mile segment traverses two counties in a rapidly urbanizing mountain region. Further, I-26 has been designated a Strategic Transportation Corridor (STC) by NCDOT due to its statewide and regional importance in moving people and freight.

### **Traffic Conditions**

Section 1.8 discusses the current traffic conditions along I-26 within the project limits. Traffic volumes were discussed but not specifically provided in the DEIS.

### **Detailed Study Alternatives**

The NCDOT utilized a 1,400-foot study corridor to identify the three (3) build alternatives that meet the project's purpose and need and these alternatives remain under consideration as detailed study alternatives (Page 2-2). The three (3) build alternatives are:

- 1) 6-lane widening (3 lanes in each direction)
- 2) 8-lane widening (4 lanes in each direction)
- 3) Hybrid 6/8 lane widening—widen I-26 to three lanes in each direction from US 25 to the US 25 (Asheville Highway) interchange, and then four lanes in each direction from the US 25 (Asheville Highway) interchange to the I-40/I-240 interchange.

All three (3) alternatives would be designed to best fit within the existing right-of-way limits for I-26. Additionally, all three alternatives including replacing the existing French Broad River and the Blue Ridge Parkway bridges over I-26.

Traffic modeling for the future peak hour traffic operations forecasted that the 6-lane widening alternative would mitigate all 2011 base year operational deficiencies, but would leave 17 of the 94 freeway segments (<10 percent of the total project length) over capacity (LOS E or F) in the 2040 design year in at least one peak hour. These locations are located north of the NC 280 interchange. The FHWA and the NCDOT have identified the Hybrid 6/8-lane widening alternative as their preferred alternative as this alternative is projected to provide a LOS D along the corridor in the 2040 design year in both peak hours while costing approximately \$58.4 million less than the 8-lane widening alternative.



Four interchange alternatives were studied in detail in the DEIS and the NCDOT prefers Interchange Alternative 1, which is a partial cloverleaf utilizing standard ramps and loops with a 30-mph design speed (231-foot radius).

Four options for the Blue Ridge Parkway bridge replacement and roadway realignment were also studied in detail (Table 2, page 2-11). The National Park Service (NPS) has indicated that Option 4, which consists of 2,745 linear feet of roadway relocation and a new 605-foot bridge south of the existing bridge, as their preferred alternative.

## **ENVIRONMENTAL ISSUES**

### **Potential Impacts from the Proposed Project**

Table S-2 (pages viii – ix) of the DEIS provides a summary of the impacts to the human and natural environment. The 6-lane widening alternative generates the least amount of impacts, including: 12 residential relocations, 1 business relocation; no community/neighborhood impacts or impacts to Environmental Justice (EJ) communities; 292 traffic noise impacts; adverse effects to the Blue Ridge Parkway (including roadway realignment) and the Cureton House; *de minimis* impacts to the Biltmore Estate, Hyder Dairy Farm, Camp Orr (Camp Pinewood), and the Mountains to Sea Trail; 5.5 acres of farmland; 4.8 acres of jurisdictional wetlands, 21,597 linear feet of jurisdictional streams; and 30.1 acres of 100-year floodplain, 15.5 acres of 500-year floodplain.

The Hybrid 6/8-lane widening yields an intermediate level of impacts (as compared to the 8-lane widening alternative) and include: 18 residential and 1 business relocation; impacts to the Brickton community as well as other EJ communities; adverse effects to the Blue Ridge Parkway and the Cureton House; *de minimis* impacts to the Biltmore Estate, Hyder Dairy Farm, Camp Orr (Camp Pinewood), and the Mountains to Sea Trail; 11.0 acres of farmland; 7.7 acres of jurisdictional wetlands, 24,650 linear feet of jurisdictional streams; and 41.8 acres of 100-year floodplain, 17.3 acres of 500-year floodplain.

### **Human Environment Impacts**

Section 3.1.1 of the DEIS listed a number of community features that are located within or adjacent to the study corridor. Several communities are characterized by populations that are more vulnerable to near road volatile organic compounds (VOCs) and other mobile source air toxics (MSATs). These include: Carolina Village Retirement Center, the Brickton community, and the Park Ridge Hospital. Brickton is a predominantly low-income, African-American community that was divided when the original I-26 corridor was constructed during the late 1960s and early 1970s. According to the DEIS, Brickton “remains a functional community that has grown to the east of I-26” (Section 3.1.3.4). Noise levels already experience noise levels exceeding the Noise Abatement Criteria threshold of 67 dBA (Section 3.1.6). The ‘Mountains to Sea’ trail is also located within the Direct Community Impact Area.

**EPA Recommendations:** The Brickton community meets the criteria for being an Environmental Justice (EJ) community. The only alternative that would not impact this EJ community a second time would be the 6-lane widening alternative; the other two alternatives would encroach on the community. The EPA supports an alternative that maintains community continuity. The EPA encourages the transportation agencies to consider the design and



implementation of noise abatement devices along with evergreen roadside vegetation in locations that do not meet the threshold for noise barriers. The use of vegetative roadside screening ameliorates noise impact issues, visual quality impacts, and demonstrated beneficial effects for downwind vehicle emissions from near-roadway air pollutants.

**Cultural Resources and Public Facilities:** The EPA encourages the transportation agencies to continue coordination efforts to avoid and minimize impacts to parks and recreational facilities and historic properties.

### **Natural Environment Impacts**

#### **Aquatic Resources**

In addition to the jurisdictional stream and wetland impacts listed in Table S-2, the French Broad River, Mud Creek, and Devils Fork are listed as §303(d) impaired waters within the project study area. Beck Creek (and its tributaries) is classified under State Water Quality standards as C Trout (Tr).

**EPA Recommendations:** The EPA advocates for the use of stormwater best management practices (BMPs) that retains runoff, allowing it to cool, and reduces the amount of sediments dispersed into adjacent streams. The proposed project is located in an urban mountain setting; consequently, the impacts to jurisdictional wetlands are substantial as mountain bogs and other higher elevation wetland ecosystems are not as common a feature in the landscape; many have been converted as the Asheville metropolitan region has grown in area and population. The 6-lane widening alternative would potentially avoid and minimize some of the impacts to aquatic resources.

#### **Protected Species**

The Bog turtle (*Glyptemys muhlenbergii*) is listed as threatened under the Endangered Species Act (ESA). The EPA encourages further avoidance and minimization measures during final design to protect viable habitat. A range-wide consultation for the Northern long-eared bat (*Myotis septentrionalis*) has been completed and the species is under a landscape-level conservation strategy developed by the FHWA and the US Fish and Wildlife Service (USFWS).

**EPA Recommendations:** The EPA encourages further collaboration with the USFWS and the NC Wildlife Resources Commission during final design to avoid and minimize impacts to threatened and endangered species as well as species of concern. Several recent studies have examined the use of bridges and culverts as [day and night] bat roosting habitat<sup>1</sup>. The structural design of bridges and culverts with regard to all bat species should be considered during the final design as a way to benefit and/or promote recovery of the species within the project study area.

#### **Air Quality and Mobile Source Air Toxics (MSAT) Analysis**

The proposed project is located within an air quality attainment area. A qualitative analysis for MSAT was conducted and provided in the DEIS. However, because traffic volumes were not reported in the DEIS, it is not known whether a quantitative analysis should have been performed. The FHWA guidance on MSAT Analysis in NEPA notes that projects with higher

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<sup>1</sup> See: <http://www.icoet.net/downloads/99paper21.pdf>



potential MSAT effects, such as adding capacity to urban interstate highways and be located in proximity to populated areas. The I-26 widening project meets both of these criteria.

**EPA Recommendations:** Exposures to MSATs have been associated with numerous adverse health effects. Several vulnerable populations are adjacent to the project area including a retirement community, hospital, and an EJ community. The I-26 project appears to meet the criteria for a quantitative MSAT analysis given its location within an urban setting.

#### Consideration of Greenhouse Gas (GHG) Emissions and the Effects of Climate Change

The DEIS does not contain estimates of the GHG emissions that would be caused by the alternatives considered. Consistent with CEQ's *Final Guidance for Federal Departments and Agencies on Consideration of Greenhouse Gas Emissions and the Effects of Climate Change in National Environmental Policy Act Reviews* (CEQ Guidance), the EPA recommends that the FEIS estimate the direct and indirect GHG emissions that would be caused by the proposal and its alternatives.<sup>2</sup> Examples of tools for estimating and quantifying GHG emissions can be found on CEQ's website.<sup>3</sup> Estimated GHG emissions levels can serve as a basis of comparison for climate change impacts among alternatives and appropriate mitigation measures.

The DEIS does not include consideration of future climate scenarios, and how they may impact the proposal and its potential impacts. Consistent with the CEQ guidance,<sup>4</sup> we recommend that the FEIS potential changes to the affected environment that may result from climate change. Including future climate scenarios, such as those provided by the USGCRP's National Climate Assessment,<sup>5</sup> in the EIS provides context for the proposal and its impacts and whether those could be affected by the changing climate.

The EPA recommends that the proposal's design incorporate measures to improve resiliency to climate change, where appropriate. These changes could be informed by the future climate scenarios addressed in the "Affected Environment" section. The EIS's alternatives analysis should, as appropriate, consider practicable changes to the proposal to make it more resilient to anticipated climate change. Changing climate conditions can affect a proposed project, as well as the project's ability to meet the purpose and need presented in the EIS. One such example would be infrastructure located in coastal regions that may be affected by sea level rise.

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<sup>2</sup> White House Council on Environmental Quality, *Final Guidance for Federal Departments and Agencies on Consideration of Greenhouse Gas Emissions and the Effects of Climate Change in National Environmental Policy Act Reviews*, p.11, p. 16.

<sup>3</sup> [https://ceq.doe.gov/current\\_developments/GHG-accounting-tools.html](https://ceq.doe.gov/current_developments/GHG-accounting-tools.html)

<sup>4</sup> CEQ Guidance, p. 20.

<sup>5</sup> <http://nca2014.globalchange.gov/>